

106TH CONGRESS  
2D SESSION

# S. 2232

To promote primary and secondary health promotion and disease prevention services and activities among the elderly, to amend title XVIII of the Social Security Act to add preventive benefits, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 9, 2000

Mr. GRAHAM (for himself, Mr. JEFFORDS, Mr. BINGAMAN, Mr. BRYAN, Mr. L. CHAFEE, Mr. KERRY, Mr. ROCKEFELLER, Mr. MOYNIHAN, Mrs. MURRAY, Mr. LUGAR, and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To promote primary and secondary health promotion and disease prevention services and activities among the elderly, to amend title XVIII of the Social Security Act to add preventive benefits, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Medicare Wellness Act of 2000”.

6 (b) TABLE OF CONTENTS.—The table of contents is  
7 as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Finding.
- Sec. 3. Definitions.

#### TITLE I—HEALTHY SENIORS PROMOTION PROGRAM

- Sec. 101. Healthy Seniors Promotion Program.
- Sec. 102. Sense of Congress regarding the response of HCFA to preventive health issues.
- Sec. 103. Sense of Congress regarding the efforts of HCFA to study health promotion and disease prevention for medicare beneficiaries.
- Sec. 104. Sense of Congress regarding the establishment of a medicare health promotion and disease prevention clearinghouse.

#### TITLE II—MEDICARE COVERAGE OF PREVENTIVE SERVICES

- Sec. 201. Counseling for cessation of tobacco use.
- Sec. 202. Screening for hypertension.
- Sec. 203. Counseling for hormone replacement therapy.
- Sec. 204. Screening for glaucoma.
- Sec. 205. Screening for diminished visual acuity.
- Sec. 206. Screening for hearing impairment.
- Sec. 207. Screening and counseling for osteoporosis.
- Sec. 208. Screening for cholesterol.
- Sec. 209. Medical nutrition therapy services for beneficiaries with diabetes, a cardiovascular disease, or a renal disease.
- Sec. 210. Elimination of cost-sharing for current preventive benefits.
- Sec. 211. National falls prevention education and awareness campaign.
- Sec. 212. Program integrity.

#### TITLE III—MEDICARE HEALTH EDUCATION AND RISK APPRAISAL PROGRAM

- Sec. 301. Medicare Health Education and Risk Appraisal Program.

#### TITLE IV—DISEASE SELF-MANAGEMENT DEMONSTRATION PROJECTS

- Sec. 401. Disease self-management demonstration projects.

#### TITLE V—STUDIES AND REPORTS ADVANCING ORIGINAL RESEARCH IN THE FIELD OF DISEASE PREVENTION AND THE ELDERLY

- Sec. 501. MedPAC biannual report.
- Sec. 502. National Institute on Aging study and report.
- Sec. 503. Institute of Medicine 5-year medicare prevention benefit study and report.
- Sec. 504. Fast-track consideration of prevention benefit legislation.

### 1 **SEC. 2. FINDING.**

- 2 Congress finds that despite significant advancements
- 3 in general research for health promotion and disease pre-

1 vention among the elderly, there has been a failure in  
2 translating that research into practical intervention.

3 **SEC. 3. DEFINITIONS.**

4 As used in this Act:

5 (1) **COST-EFFECTIVE BENEFIT.**—The term  
6 “cost-effective benefit” means a benefit or technique  
7 that has—

8 (A) been subject to peer review;

9 (B) been described in scientific journals;

10 and

11 (C) demonstrated value as measured by  
12 unit costs relative to health outcomes achieved.

13 (2) **COST-SAVING BENEFIT.**—The term “cost-  
14 saving benefit” means a benefit or technique that  
15 has—

16 (A) been subject to peer review;

17 (B) been described in scientific journals;

18 and

19 (C) caused a net reduction in health care  
20 costs for medicare beneficiaries.

21 (3) **MEDICALLY EFFECTIVE.**—The term “medi-  
22 cally effective” means, with respect to a benefit or  
23 technique, that the benefit or technique has been—

24 (A) subject to peer review;

25 (B) described in scientific journals; and

1 (C) determined to achieve an intended goal  
2 under normal programmatic conditions.

3 (4) MEDICAL EFFICACY; MEDICALLY EFFICA-  
4 CIOUS.—The terms “medical efficacy” and “medi-  
5 cally efficacious” mean, with respect to a benefit or  
6 technique, that the benefit or technique has been—

7 (A) subject to peer review;

8 (B) described in scientific journals; and

9 (C) determined to achieve an intended goal  
10 under controlled conditions.

11 (5) MEDICARE BENEFICIARY.—The term  
12 “medicare beneficiary” means any individual who is  
13 entitled to benefits under part A or enrolled under  
14 part B of the medicare program, including any indi-  
15 vidual enrolled in a Medicare+Choice plan offered  
16 by a Medicare+Choice organization under part C of  
17 such program.

18 (6) MEDICARE PROGRAM.—The term “medicare  
19 program” means the health benefits program under  
20 title XVIII of the Social Security Act (42 U.S.C.  
21 1395 et seq.).

22 (7) SECRETARY.—The term “Secretary” means  
23 the Secretary of Health and Human Services.

1       **TITLE I—HEALTHY SENIORS**  
2       **PROMOTION PROGRAM**

3   **SEC. 101. HEALTHY SENIORS PROMOTION PROGRAM.**

4       (a) DEFINITIONS.—As used in this section:

5           (1) ELIGIBLE ENTITY.—The term “eligible enti-  
6       ty” means an entity that the Working Group (as de-  
7       fined in paragraph (2)) determines has dem-  
8       onstrated expertise in research regarding health pro-  
9       motion and disease prevention among the elderly.

10          (2) WORKING GROUP.—The term “Working  
11       Group” means the Healthy Seniors Working Group  
12       established under subsection (d).

13       (b) PROGRAM AUTHORIZED.—The Secretary, subject  
14       to the general policies and criteria established by the  
15       Working Group and in accordance with the provisions of  
16       this Act, is authorized to make grants to eligible entities  
17       to pay for the costs of the activities described in subsection  
18       (c).

19       (c) USE OF FUNDS.—An eligible entity may use pay-  
20       ments received under this section in any fiscal year to  
21       study—

22           (1) whether using different types of providers of  
23       care who are not physicians and alternative settings  
24       (including community-based senior centers) for the  
25       implementation of a successful health promotion and

1 disease prevention strategy, including the implica-  
2 tions regarding the payment of such providers, is  
3 medically efficacious or medically effective;

4 (2) the most medically effective means of edu-  
5 cating medicare beneficiaries and providers of serv-  
6 ices regarding the importance of health promotion  
7 and disease prevention among the elderly and identi-  
8 fication of incentives that would increase the use of  
9 new and existing preventive services and healthy be-  
10 haviors by medicare beneficiaries; and

11 (3) other topics designated by the Secretary.

12 (d) HEALTHY SENIORS WORKING GROUP.—

13 (1) ESTABLISHMENT.—There is established  
14 within the Department of Health and Human Serv-  
15 ices a Healthy Seniors Working Group.

16 (2) COMPOSITION.—Subject to paragraph (3),  
17 the Working Group established pursuant to sub-  
18 section (b) shall be composed of 5 members as fol-  
19 lows:

20 (A) The Administrator of the Health Care  
21 Financing Administration.

22 (B) The Director of the Centers for Dis-  
23 ease Control and Prevention.

24 (C) The Administrator of the Agency for  
25 Health Care Policy and Research.

1 (D) The Assistant Secretary for Aging.

2 (E) The Director of the National Institute  
3 on Aging.

4 (3) ALTERNATIVE MEMBERSHIP.—

5 (A) APPOINTMENT.—Any member of the  
6 Working Group described in a subparagraph of  
7 paragraph (2) may appoint an individual who is  
8 an officer or employee of the Federal Govern-  
9 ment to serve as a member of the Working  
10 Group instead of the member described in such  
11 subparagraph.

12 (B) DEADLINE.—If a member described in  
13 subparagraph (A) elects to appoint an indi-  
14 vidual under such subparagraph, such indi-  
15 vidual shall be appointed not later than Decem-  
16 ber 31, 2001.

17 (4) GENERAL POLICIES AND CRITERIA.—The  
18 Working Group shall establish general policies and  
19 criteria with respect to the functions of the Sec-  
20 retary under this section including—

21 (A) priorities for the approval of applica-  
22 tions submitted under subsection (e);

23 (B) procedures for developing, monitoring,  
24 and evaluating research efforts conducted under  
25 this section; and

1 (C) such other matters as are rec-  
2 ommended by the Working Group and approved  
3 by the Secretary.

4 (5) CHAIRPERSON.—The Chairperson of the  
5 Working Group shall be the Administrator of the  
6 Agency for Health Care Policy and Research.

7 (6) QUORUM.—A majority of the members of  
8 the Working Group shall constitute a quorum, but  
9 a lesser number of members may hold hearings.

10 (7) MEETINGS.—The Working Group shall  
11 meet at the call of the Chairperson, except that—

12 (A) it shall meet not less than 4 times each  
13 year; and

14 (B) it shall meet whenever a majority of  
15 the appointed members request a meeting in  
16 writing.

17 (8) COMPENSATION OF MEMBERS.—Each mem-  
18 ber of the Working Group shall be an officer or em-  
19 ployee of the Federal Government and shall serve  
20 without compensation in addition to that received for  
21 their service as an officer or employee of the Federal  
22 Government.

23 (e) APPLICATION.—

24 (1) IN GENERAL.—Each eligible entity which  
25 desires to receive a grant under this section shall



1 submit an application to the Secretary, at such time,  
2 in such manner, and accompanied by such additional  
3 information as the Secretary may reasonably re-  
4 quire.

5 (2) CONTENTS.—Each application submitted  
6 pursuant to paragraph (1) shall—

7 (A) describe the activities for which assist-  
8 ance under this section is sought;

9 (B) describe how the research effort pro-  
10 posed to be conducted will reflect the medical,  
11 behavioral, and social aspects of care for the el-  
12 derly, lead to the development of cost-effective  
13 benefits and cost-saving benefits, and impact  
14 the quality of life of medicare beneficiaries;

15 (C) provide evidence that the eligible entity  
16 meets the general policies and criteria estab-  
17 lished by the Working Group pursuant to sub-  
18 section (d)(4);

19 (D) provide assurances that the eligible en-  
20 tity will take such steps as may be available to  
21 it to continue the activities for which the eligi-  
22 ble entity is making application after the period  
23 for which assistance is sought; and

24 (E) provide such additional assurances as  
25 the Secretary determines to be essential to en-

1           sure compliance with the requirements of this  
2           Act.

3           (3) JOINT APPLICATION.—A consortium of eli-  
4           gible entities may file a joint application under the  
5           provisions of paragraph (1) of this subsection.

6           (f) APPROVAL OF APPLICATION.—The Secretary  
7           shall approve applications in accordance with the general  
8           policies and criteria established by the Working Group  
9           under subsection (d)(4).

10          (g) PAYMENTS.—The Secretary shall pay to each eli-  
11          gible entity having an application approved under sub-  
12          section (f) the cost of the activities described in the appli-  
13          cation.

14          (h) EVALUATION AND REPORT.—

15                  (1) EVALUATION.—The Secretary shall conduct  
16                  an annual evaluation of grants made under this sec-  
17                  tion to determine—

18                          (A) the results of the overall applied re-  
19                          search conducted under this Act;

20                          (B) the extent to which research assisted  
21                          under this section has improved or expanded  
22                          the general research for health promotion and  
23                          disease prevention among the elderly and identi-  
24                          fied practical interventions based upon such re-  
25                          search;

1 (C) a list of specific recommendations  
2 based upon research conducted under this sec-  
3 tion which show promise as practical interven-  
4 tions for health promotion and disease preven-  
5 tion among the elderly;

6 (D) whether or not as a result of the ap-  
7 plied research effort certain health promotion  
8 and disease prevention benefits or education ef-  
9 forts should be added to the medicare program,  
10 including discussions of quality of life, trans-  
11 lating the applied research results into a benefit  
12 under the medicare program, and whether each  
13 additional benefit would be a cost-effective ben-  
14 efit or a cost-saving benefit for each proposed  
15 addition;

16 (E) the utility of, potential for, and issues  
17 surrounding health risk appraisals sponsored  
18 under the medicare program and targeted fol-  
19 lowup; and

20 (F) how best to increase utilization of ex-  
21 isting and recommended health promotion and  
22 disease prevention services, including an edu-  
23 cation and public awareness component discus-  
24 sion of financial incentives for providers of serv-  
25 ices and medicare beneficiaries to improve utili-



1 **SEC. 103. SENSE OF CONGRESS REGARDING THE EFFORTS**  
2 **OF HCFA TO STUDY HEALTH PROMOTION**  
3 **AND DISEASE PREVENTION FOR MEDICARE**  
4 **BENEFICIARIES.**

5 It is the sense of Congress that the Secretary should  
6 ensure that the Administrator of the Health Care Financ-  
7 ing Administration expands the study of the most prom-  
8 ising behavioral modification of risk factors associated  
9 with health promotion and disease prevention for all medi-  
10 care beneficiaries.

11 **SEC. 104. SENSE OF CONGRESS REGARDING THE ESTAB-**  
12 **LISHMENT OF A MEDICARE HEALTH PRO-**  
13 **MOTION AND DISEASE PREVENTION CLEAR-**  
14 **INGHOUSE.**

15 It is the sense of Congress that the National Library  
16 of Medicine should collect information regarding innova-  
17 tive and successful health promotion and disease preven-  
18 tion interventions from both published and unpublished  
19 sources, establish a clearinghouse targeting all medicare  
20 beneficiaries in a variety of settings for the consolidation  
21 and coordination of all such information, and make the  
22 clearinghouse available to the public and accessible  
23 through the Internet.

1 **TITLE II—MEDICARE COVERAGE**  
 2 **OF PREVENTIVE SERVICES**

3 **SEC. 201. COUNSELING FOR CESSATION OF TOBACCO USE.**

4 (a) **COVERAGE.**—Section 1861(s)(2) of the Social Se-  
 5 curity Act (42 U.S.C. 1395x(s)(2)) is amended—

6 (1) in subparagraph (S), by striking “and” at  
 7 the end;

8 (2) in subparagraph (T), by inserting “and” at  
 9 the end; and

10 (3) by adding at the end the following new sub-  
 11 paragraph:

12 “(U) counseling for cessation of tobacco use (as  
 13 defined in subsection (uu)) for individuals who have  
 14 a history of tobacco use;”.

15 (b) **SERVICES DESCRIBED.**—Section 1861 of such  
 16 Act (42 U.S.C. 1395x) is amended by adding at the end  
 17 the following new subsection:

18 “Counseling for Cessation of Tobacco Use

19 “(uu)(1) Except as provided in paragraph (2), the  
 20 term ‘counseling for cessation of tobacco use’ means diag-  
 21 nostic, therapy, and counseling services for cessation of  
 22 tobacco use which are furnished—

23 “(A) by or under the supervision of a physician;

24 or

1           “(B) by any other health care professional who  
2           is legally authorized to furnish such services under  
3           State law (or the State regulatory mechanism pro-  
4           vided by State law) of the State in which the serv-  
5           ices are furnished, as would otherwise be covered if  
6           furnished by a physician or as an incident to a phy-  
7           sician’s professional service.

8           “(2) The term ‘counseling for cessation of tobacco  
9           use’ does not include coverage for drugs or biologicals that  
10          are not otherwise covered under this title.”.

11          (c) ELIMINATION OF COST-SHARING.—

12           (1) ELIMINATION OF COINSURANCE.—Section  
13          1833(a)(1) of such Act (42 U.S.C. 1395l(a)(1)) is  
14          amended—

15           (A) by striking “and” before “(S)”; and

16           (B) by inserting before the semicolon at  
17          the end the following: “, and (T) with respect  
18          to counseling for cessation of tobacco use (as  
19          defined in section 1861(uu)), the amount paid  
20          shall be 100 percent of the lesser of the actual  
21          charge for the services or the amount deter-  
22          mined by a fee schedule established by the Sec-  
23          retary for the purposes of this subparagraph”.

1           (2) **ELIMINATION OF DEDUCTIBLE.**—The first  
2 sentence of section 1833(b) of such Act (42 U.S.C.  
3 13951(b)) is amended—

4                   (A) by striking “and” before “(6)”; and

5                   (B) by inserting before the period the fol-  
6 lowing: “, and (7) such deductible shall not  
7 apply with respect to counseling for cessation of  
8 tobacco use (as defined in section 1861(uu))”.

9           (d) **EFFECTIVE DATE.**—The amendments made by  
10 this section shall apply to services furnished on or after  
11 December 31, 2001.

12 **SEC. 202. SCREENING FOR HYPERTENSION.**

13           (a) **COVERAGE.**—Section 1861(s)(2) of the Social Se-  
14 curity Act (42 U.S.C. 1395x(s)(2)) (as amended by sec-  
15 tion 201(a)) is amended—

16                   (1) in subparagraph (T), by striking “and” at  
17 the end;

18                   (2) in subparagraph (U), by inserting “and” at  
19 the end; and

20                   (3) by adding at the end the following new sub-  
21 paragraph:

22                   “(V) screening for hypertension (as defined in  
23 subsection (vv)) not more frequently than once every  
24 2 years for individuals with normotensive blood pres-  
25 sure measurements and annually for individuals with



1 blood pressure measurements that are not  
2 normotensive;”.

3 (b) SERVICES DESCRIBED.—Section 1861 of such  
4 Act (42 U.S.C. 1395x) (as amended by section 201(b))  
5 is amended by adding at the end the following new sub-  
6 section:

7 “Screening for Hypertension

8 “(vv) The term ‘screening for hypertension’ means di-  
9 agnostic services for hypertension which are furnished—

10 “(1) by or under the supervision of a physician;

11 or

12 “(2) by any other health care professional who  
13 is legally authorized to furnish such services under  
14 State law (or the State regulatory mechanism pro-  
15 vided by State law) of the State in which the serv-  
16 ices are furnished, as would otherwise be covered if  
17 furnished by a physician or as an incident to a phy-  
18 sician’s professional service.”.

19 (c) ELIMINATION OF COST-SHARING.—

20 (1) ELIMINATION OF COINSURANCE.—Section  
21 1833(a)(1) of such Act (42 U.S.C. 1395l(a)(1)) (as  
22 amended by section 201(c)(1)) is amended—

23 (A) by striking “and” before “(T)”; and

24 (B) by inserting before the semicolon at  
25 the end the following: “, and (U) with respect

1 to screening for hypertension (as defined in sec-  
 2 tion 1861(vv)), the amount paid shall be 100  
 3 percent of the lesser of the actual charge for  
 4 the services or the amount determined by a fee  
 5 schedule established by the Secretary for the  
 6 purposes of this subparagraph;”.

7 (2) ELIMINATION OF DEDUCTIBLE.—The first  
 8 sentence of section 1833(b) of such Act (42 U.S.C.  
 9 1395l(b)) (as amended by section 201(c)(2)) is  
 10 amended—

11 (A) by striking “and” before “(7)”; and

12 (B) by inserting before the period the fol-  
 13 lowing: “, and (8) such deductible shall not  
 14 apply with respect to screening for hypertension  
 15 (as defined in section 1861(vv))”.

16 (d) EFFECTIVE DATE.—The amendments made by  
 17 this section shall apply to services furnished on or after  
 18 December 31, 2001.

19 **SEC. 203. COUNSELING FOR HORMONE REPLACEMENT**  
 20 **THERAPY.**

21 (a) COVERAGE.—Section 1861(s)(2) of the Social Se-  
 22 curity Act (42 U.S.C. 1395x(s)(2)) (as amended by sec-  
 23 tion 202(a)) is amended—

24 (1) in subparagraph (U), by striking “and” at  
 25 the end;

1           (2) in subparagraph (V), by inserting “and” at  
2 the end; and

3           (3) by adding at the end the following new sub-  
4 paragraph:

5           “(W) counseling for hormone replacement ther-  
6 apy (as defined in subsection (ww));”.

7           (b) SERVICES DESCRIBED.—Section 1861 of such  
8 Act (42 U.S.C. 1395x) (as amended by section 202(b))  
9 is amended by adding at the end the following new sub-  
10 section:

11           “Counseling for Hormone Replacement Therapy

12           “(ww)(1) Except as provided in paragraph (2), the  
13 term ‘counseling for hormone replacement therapy’ means  
14 diagnostic, therapy, and counseling services for hormone  
15 replacement which are furnished—

16           “(A) by or under the supervision of a physician;  
17 or

18           “(B) by any other health care professional who  
19 is legally authorized to furnish such services under  
20 State law (or the State regulatory mechanism pro-  
21 vided by State law) of the State in which the serv-  
22 ices are furnished, as would otherwise be covered if  
23 furnished by a physician or as an incident to a phy-  
24 sician’s professional service.

1       “(2) The term ‘counseling for hormone replacement  
2 therapy’ does not include coverage for drugs or biologicals  
3 that are not otherwise covered under this title.”.

4       (c) ELIMINATION OF COST-SHARING.—

5           (1) ELIMINATION OF COINSURANCE.—Section  
6 1833(a)(1) of such Act (42 U.S.C. 1395l(a)(1)) (as  
7 amended by section 202(c)(1)) is amended—

8               (A) by striking “and” before “(U)”; and

9               (B) by inserting before the semicolon at  
10 the end the following: “, and (V) with respect  
11 to counseling for hormone replacement therapy  
12 (as defined in section 1861(w)), the amount  
13 paid shall be 100 percent of the lesser of the  
14 actual charge for the services or the amount de-  
15 termined by a fee schedule established by the  
16 Secretary for the purposes of this subpara-  
17 graph;”.

18           (2) ELIMINATION OF DEDUCTIBLE.—The first  
19 sentence of section 1833(b) of such Act (42 U.S.C.  
20 1395l(b)) (as amended by section 202(c)(2)) is  
21 amended—

22               (A) by striking “and” before “(8)”; and

23               (B) by inserting before the period the fol-  
24 lowing: “, and (9) such deductible shall not  
25 apply with respect to counseling for hormone

1 replacement therapy (as defined in section  
2 1861(ww))”.

3 (d) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply to services furnished on or after  
5 December 31, 2001.

6 **SEC. 204. SCREENING FOR GLAUCOMA.**

7 (a) COVERAGE.—Section 1861(s)(2) of the Social Se-  
8 curity Act (42 U.S.C. 1395x(s)(2)) (as amended by sec-  
9 tion 203(a)) is amended—

10 (1) in subparagraph (V), by striking “and” at  
11 the end;

12 (2) in subparagraph (W), by inserting “and” at  
13 the end; and

14 (3) by adding at the end the following new sub-  
15 paragraph:

16 “(X) screening for glaucoma (as defined in sub-  
17 section (xx)) for individuals determined to be at high  
18 risk for glaucoma, individuals with a family history  
19 of glaucoma, and individuals with diabetes or myo-  
20 pia;”.

21 (b) SERVICES DESCRIBED.—Section 1861 of such  
22 Act (42 U.S.C. 1395x) (as amended by section 203(b))  
23 is amended by adding at the end the following new sub-  
24 section:

1 “Screening for Glaucoma

2 “(xx) The term ‘screening for glaucoma’ means a di-  
 3 lated eye examination with an intraocular pressure meas-  
 4 urement, and a direct ophthalmoscopy or a slit-lamp bio-  
 5 microscopic examination for the early detection of glau-  
 6 coma which is furnished by or under the supervision of  
 7 an optometrist or ophthalmologist who is legally author-  
 8 ized to furnish such services under State law (or the State  
 9 regulatory mechanism provided by State law) of the State  
 10 in which the services are furnished, as would otherwise  
 11 be covered if furnished by a physician or as an incident  
 12 to a physician’s professional service.”.

13 (c) ELIMINATION OF COST-SHARING.—

14 (1) ELIMINATION OF COINSURANCE.—Section  
 15 1833(a)(1) of such Act (42 U.S.C. 1395l(a)(1)) (as  
 16 amended by section 203(c)(1)) is amended—

17 (A) by striking “and” before “(V)”; and

18 (B) by inserting before the semicolon at  
 19 the end the following: “, and (W) with respect  
 20 to screening for glaucoma (as defined in section  
 21 1861(xx)), the amount paid shall be 100 per-  
 22 cent of the lesser of the actual charge for the  
 23 services or amount determined by a fee schedule  
 24 established by the Secretary for the purposes of  
 25 this subparagraph;”.

1           (2) **ELIMINATION OF DEDUCTIBLE.**—The first  
2 sentence of section 1833(b) of such Act (42 U.S.C.  
3 13951(b)) (as amended by section 203(c)(2)) is  
4 amended—

5                   (A) by striking “and” before “(9)”; and

6                   (B) by inserting before the period the fol-  
7 lowing: “, and (10) such deductible shall not  
8 apply with respect to screening for glaucoma  
9 (as defined in section 1861(xx))”.

10       (d) **EFFECTIVE DATE.**—The amendments made by  
11 this section shall apply to services furnished on or after  
12 December 31, 2001.

13 **SEC. 205. SCREENING FOR DIMINISHED VISUAL ACUITY.**

14       (a) **COVERAGE.**—Section 1861(s)(2) of the Social Se-  
15 curity Act (42 U.S.C. 1395x(s)(2)) (as amended by sec-  
16 tion 204(a)) is amended—

17           (1) in subparagraph (W), by striking “and” at  
18 the end;

19           (2) in subparagraph (X), by inserting “and” at  
20 the end; and

21           (3) by adding at the end the following new sub-  
22 paragraph:

23                   “(Y) screening for diminished visual acuity (as  
24 defined in subsection (yy));”.

1 (b) SERVICES DESCRIBED.—Section 1861 of such  
 2 Act (42 U.S.C. 1395x) (as amended by section 204(b))  
 3 is amended by adding at the end the following new sub-  
 4 section:

5 “Screening for Diminished Visual Acuity

6 “(yy) The term ‘screening for diminished visual acu-  
 7 ity’ means diagnostic services for screening for diminished  
 8 visual acuity which are furnished by or under the super-  
 9 vision of an optometrist or ophthalmologist who is legally  
 10 authorized to furnish such services under State law (or  
 11 the State regulatory mechanism provided by State law) of  
 12 the State in which the services are furnished, as would  
 13 otherwise be covered if furnished by a physician or as an  
 14 incident to a physician’s professional service.”.

15 (c) ELIMINATION OF COST-SHARING.—

16 (1) ELIMINATION OF COINSURANCE.—Section  
 17 1833(a)(1) of such Act (42 U.S.C. 1395l(a)(1)) (as  
 18 amended by section 204(c)(1)) is amended—

19 (A) by striking “and” before “(W)”;

20 (B) by inserting before the semicolon at  
 21 the end the following: “, and (X) with respect  
 22 to screening for diminished visual acuity (as de-  
 23 fined in section 1861(yy)), the amount paid  
 24 shall be 100 percent of the lesser of the actual  
 25 charge for the services or the amount deter-



1           mined by a fee schedule established by the Sec-  
2           retary for the purposes of this subparagraph;”.

3           (2) **ELIMINATION OF DEDUCTIBLE.**—The first  
4           sentence of section 1833(b) of such Act (42 U.S.C.  
5           1395l(b)) (as amended by section 204(c)(2)) is  
6           amended—

7                   (A) by striking “and” before “(10)”; and

8                   (B) by inserting before the period the fol-  
9           lowing: “, and (11) such deductible shall not  
10          apply with respect to screening for diminished  
11          visual acuity (as defined in section 1861(yy))”.

12          (d) **EFFECTIVE DATE.**—The amendments made by  
13          this section shall apply to services furnished on or after  
14          December 31, 2001.

15          **SEC. 206. SCREENING FOR HEARING IMPAIRMENT.**

16          (a) **COVERAGE.**—Section 1861(s)(2) of the Social Se-  
17          curity Act (42 U.S.C. 1395x(s)(2)) (as amended by sec-  
18          tion 205(a)) is amended—

19                   (1) in subparagraph (X), by striking “and” at  
20          the end;

21                   (2) in subparagraph (Y), by inserting “and” at  
22          the end; and

23                   (3) by adding at the end the following new sub-  
24          paragraph:

1           “(Z) screening for hearing impairment (as de-  
2           fined in subsection (zz));”.

3           (b) SERVICES DESCRIBED.—Section 1861 of such  
4 Act (42 U.S.C. 1395x) (as amended by section 205(b))  
5 is amended by adding at the end the following new sub-  
6 section:

7                   “Screening for Hearing Impairment

8           “(zz) The term ‘screening for hearing impairment’  
9 means diagnostic services for hearing impairment by use  
10 of periodic questions, otoscopic examination and audio  
11 metric testing if such questions indicate potential hearing  
12 impairment, and counseling about hearing aid devices  
13 which are furnished—

14                   “(1) by or under the supervision of a physician;

15           or

16                   “(2) by any other health care professional who  
17 is legally authorized to furnish such services under  
18 State law (or the State regulatory mechanism pro-  
19 vided by State law) of the State in which the serv-  
20 ices are furnished, as would otherwise be covered if  
21 furnished by a physician or as an incident to a phy-  
22 sician’s professional service.”.

23           (c) ELIMINATION OF COST-SHARING.—

1           (1) ELIMINATION OF COINSURANCE.—Section  
2           1833(a)(1) of such Act (42 U.S.C. 1395l(a)(1)) (as  
3           amended by section 205(c)(1)) is amended—

4                   (A) by striking “and” before “(X)”; and

5                   (B) by inserting before the semicolon at  
6           the end the following: “, and (Y) with respect  
7           to screening for hearing impairment (as defined  
8           in section 1861(zz)), the amount paid shall be  
9           100 percent of the lesser of the actual charge  
10          for the services or the amount determined by a  
11          fee schedule established by the Secretary for the  
12          purposes of this subparagraph;”.

13          (2) ELIMINATION OF DEDUCTIBLE.—The first  
14          sentence of section 1833(b) of such Act (42 U.S.C.  
15          1395l(b)) (as amended by section 205(c)(2)) is  
16          amended—

17                   (A) by striking “and” before “(11)”; and

18                   (B) by inserting before the period the fol-  
19          lowing: “, and (12) such deductible shall not  
20          apply with respect to screening for hearing im-  
21          pairment (as defined in section 1861(zz))”.

22          (d) EFFECTIVE DATE.—The amendments made by  
23          this section shall apply to services furnished on or after  
24          December 31, 2001.

1 **SEC. 207. SCREENING AND COUNSELING FOR**  
 2 **OSTEOPOROSIS.**

3 (a) **COVERAGE.**—Section 1861(s)(2) of the Social Se-  
 4 curity Act (42 U.S.C. 1395x(s)(2)) (as amended by sec-  
 5 tion 206(a)) is amended—

6 (1) in subparagraph (Y), by striking “and” at  
 7 the end;

8 (2) in subparagraph (Z), by inserting “and” at  
 9 the end; and

10 (3) by adding at the end the following new sub-  
 11 paragraph:

12 “(AA) screening and counseling for osteoporosis  
 13 (as defined in subsection (aaa)) for—

14 “(i) women; and

15 “(ii) men with fractures;”.

16 (b) **SERVICES DESCRIBED.**—Section 1861 of such  
 17 Act (42 U.S.C. 1395x) (as amended by section 206(b))  
 18 is amended by adding at the end the following new sub-  
 19 section:

20 “Screening and Counseling for Osteoporosis

21 “(aaa) The term ‘screening and counseling for  
 22 osteoporosis’ means diagnostic and counseling services for  
 23 osteoporosis in addition to a bone mass measurement (as  
 24 defined in subsection (rr)) which are furnished in accord-  
 25 ance with methods approved by the Food and Drug  
 26 Administration—

1           “(1) by or under the supervision of a physician;  
2           or

3           “(2) by any other health care professional who  
4           is legally authorized to furnish such services under  
5           State law (or the State regulatory mechanism pro-  
6           vided by State law) of the State in which the serv-  
7           ices are furnished, as would otherwise be covered if  
8           furnished by a physician or as an incident to a phy-  
9           sician’s professional service.”.

10           (c) ELIMINATION OF COST-SHARING.—

11           (1) ELIMINATION OF COINSURANCE.—Section  
12           1833(a)(1) of such Act (42 U.S.C. 1395l(a)(1)) (as  
13           amended by section 206(c)(1)) is amended—

14                   (A) by striking “and” before “(Y)”; and

15                   (B) by inserting before the semicolon at  
16           the end and inserting the following: “, and (Z)  
17           with respect to screening and counseling for  
18           osteoporosis (as defined in section 1861(aaa)),  
19           the amount paid shall be 100 percent of the  
20           lesser of the actual charge for the services or  
21           the amount determined by a fee schedule estab-  
22           lished by the Secretary for the purposes of this  
23           subparagraph;”.

24           (2) ELIMINATION OF DEDUCTIBLE.—The first  
25           sentence of section 1833(b) of such Act (42 U.S.C.

1 13951(b)) (as amended by section 206(c)(2)) is  
2 amended—

3 (A) by striking “and” before “(12)”; and

4 (B) by inserting before the period the fol-  
5 lowing: “, and (13) such deductible shall not  
6 apply with respect to screening and counseling  
7 for osteoporosis (as defined in section  
8 1861(aaa))”.

9 (d) EFFECTIVE DATE.—The amendments made by  
10 this section shall apply to services furnished on or after  
11 December 31, 2001.

12 **SEC. 208. SCREENING FOR CHOLESTEROL.**

13 (a) COVERAGE.—Section 1861(s)(2) of the Social Se-  
14 curity Act (42 U.S.C. 1395x(s)(2)) (as amended by sec-  
15 tion 207(a)) is amended—

16 (1) in subparagraph (Z), by striking “and” at  
17 the end;

18 (2) in subparagraph (AA), by inserting “and”  
19 at the end; and

20 (3) by adding at the end the following new sub-  
21 paragraph:

22 “(BB) screening for cholesterol (as defined in  
23 subsection (bbb)) for individuals between the ages of  
24 65 and 75 that exhibit major risk factors for coro-

1 nary heart disease, including smoking, hypertension,  
2 and diabetes;”.

3 (b) SERVICES DESCRIBED.—Section 1861 of such  
4 Act (42 U.S.C. 1395x) (as amended by section 207(b))  
5 is amended by adding at the end the following new sub-  
6 section:

7 “Screening for Cholesterol

8 “(bbb) The term ‘screening for cholesterol’ means di-  
9 agnostic services for cholesterol that are furnished—

10 “(1) by or under the supervision of a physician;

11 or

12 “(2) by any other health care professional who  
13 is legally authorized to furnish such services under  
14 State law (or the State regulatory mechanism pro-  
15 vided by State law) of the State in which the serv-  
16 ices are furnished, as would otherwise be covered if  
17 furnished by a physician or as an incident to a phy-  
18 sician’s professional service.”.

19 (c) ELIMINATION OF COST-SHARING.—

20 (1) ELIMINATION OF COINSURANCE.—Section  
21 1833(a)(1) of such Act (42 U.S.C. 1395l(a)(1)) (as  
22 amended by section 207(c)(1)) is amended—

23 (A) by striking “and” before “(Z)”; and

24 (B) by inserting before the semicolon at  
25 the end the following: “, and (AA) with respect

1 to screening for cholesterol (as defined in sec-  
 2 tion 1861(bbb)), the amount paid shall be 100  
 3 percent of the lesser of the actual charge for  
 4 the services or the amount determined by a fee  
 5 schedule established by the Secretary for the  
 6 purposes of this subparagraph;”.

7 (2) ELIMINATION OF DEDUCTIBLE.—The first  
 8 sentence of section 1833(b) of such Act (42 U.S.C.  
 9 1395l(b)) (as amended by section 207(c)(2)) is  
 10 amended—

11 (A) by striking “and” before “(13)”; and

12 (B) by inserting before the period the fol-  
 13 lowing: “, and (14) such deductible shall not  
 14 apply with respect to screening and counseling  
 15 for osteoporosis (as defined in section  
 16 1861(bbb))”.

17 (d) EFFECTIVE DATE.—The amendments made by  
 18 this section shall apply to services furnished on or after  
 19 December 31, 2001.

20 **SEC. 209. MEDICAL NUTRITION THERAPY SERVICES FOR**  
 21 **BENEFICIARIES WITH DIABETES, A CARDIO-**  
 22 **VASCULAR DISEASE, OR A RENAL DISEASE.**

23 (a) COVERAGE.—Section 1861(s)(2) of the Social Se-  
 24 curity Act (42 U.S.C. 1395x(s)(2)) (as amended by sec-  
 25 tion 208(a)) is amended—



1           (1) in subparagraph (AA) by striking “and” at  
2           the end;

3           (2) in subparagraph (BB) by inserting “and”  
4           at the end; and

5           (3) by adding at the end the following new sub-  
6           paragraph:

7           “(CC) medical nutrition therapy services (as de-  
8           fined in subsection (ccc)(1)) in the case of a bene-  
9           ficiary with diabetes, a cardiovascular disease (in-  
10          cluding congestive heart failure, arteriosclerosis,  
11          hyperlipidemia, hypertension, and hypercholester-  
12          olemia), or a renal disease;”.

13          (b) SERVICES DESCRIBED.—Section 1861 of the So-  
14          cial Security Act (42 U.S.C. 1395x) (as amended by sec-  
15          tion 208(b)) is amended by adding at the end the following  
16          new subsection:

17          “Medical Nutrition Therapy Services; Registered  
18                                  Dietitian or Nutrition Professional

19          “(ccc)(1) The term ‘medical nutrition therapy serv-  
20          ices’ means nutritional diagnostic, therapy, and counseling  
21          services for the purpose of disease management which are  
22          furnished by a registered dietitian or nutrition profes-  
23          sional (as defined in paragraph (2)) pursuant to a referral  
24          by a physician.

1       “(2) Subject to paragraph (3), the term ‘registered  
2 dietitian or nutrition professional’ means an individual  
3 who—

4           “(A) holds a baccalaureate or higher degree  
5 granted by a regionally accredited college or univer-  
6 sity in the United States (or an equivalent foreign  
7 degree) with completion of the academic require-  
8 ments of a program in nutrition or dietetics, as ac-  
9 credited by an appropriate national accreditation or-  
10 ganization recognized by the Secretary for this pur-  
11 pose;

12           “(B) has completed at least 900 hours of super-  
13 vised dietetics practice under the supervision of a  
14 registered dietitian or nutrition professional; and

15           “(C)(i) is licensed or certified as a dietitian or  
16 nutrition professional by the State in which the serv-  
17 ices are performed; or

18           “(ii) in the case of an individual in a State that  
19 does not provide for such licensure or certification,  
20 meets such other criteria as the Secretary estab-  
21 lishes.

22       “(3) Subparagraphs (A) and (B) of paragraph (2)  
23 shall not apply in the case of an individual who, as of the  
24 date of enactment of this subsection, is licensed or cer-  
25 tified as a dietitian or nutrition professional by the State

1 in which medical nutrition therapy services are per-  
2 formed.”.

3 (c) ELIMINATION OF COINSURANCE.—Section  
4 1833(a)(1) of such Act (42 U.S.C. 1395l(a)(1)) (as  
5 amended by section 208(c)(1)) is amended—

6 (1) by striking “and” before “(AA)”; and

7 (2) by inserting before the semicolon at the end  
8 the following: “, and (BB) with respect to medical  
9 nutrition therapy services (as defined in section  
10 1861(ccc)), the amount paid shall be 85 percent of  
11 the lesser of the actual charge for the services or the  
12 amount determined under the fee schedule estab-  
13 lished under section 1848(b) for the same services if  
14 furnished by a physician”.

15 (d) EFFECTIVE DATE.—The amendments made by  
16 this section apply to services furnished on or after Decem-  
17 ber 31, 2001.

18 **SEC. 210. ELIMINATION OF COST-SHARING FOR CURRENT**  
19 **PREVENTIVE BENEFITS.**

20 (a) WAIVER OF COINSURANCE AND DEDUCTIBLES.—

21 (1) IN GENERAL.—Section 1834 of the Social  
22 Security Act (42 U.S.C. 1395m) is amended by add-  
23 ing at the end the following new subsection:

24 “(m) WAIVER OF COINSURANCE AND DEDUCTIBLE  
25 FOR PREVENTIVE SERVICES.—

1 “(1) COINSURANCE.—

2 “(A) IN GENERAL.—Notwithstanding any  
3 other provision of this part—

4 “(i) the Secretary shall waive any co-  
5 insurance applicable to services described  
6 in subparagraph (B); and

7 “(ii) with respect to payment for such  
8 services, any reference to a percent that is  
9 less than 100 percent shall be deemed to  
10 be a reference to 100 percent.

11 “(B) SERVICES DESCRIBED.—The services  
12 described in this subparagraph are the following  
13 services:

14 “(i) Screening mammography (as de-  
15 fined in section 1861(jj)).

16 “(ii) Screening pelvic exam (as de-  
17 fined in section 1861(nn)(2)).

18 “(iii) Hepatitis B vaccine and its ad-  
19 ministration (under section  
20 1861(s)(10)(B)).

21 “(iv) Colorectal cancer screening test  
22 (as defined in section 1861(pp)).

23 “(v) Bone mass measurement (as de-  
24 fined in section 1861(rr)).

1           “(vi) Prostate cancer screening test  
2           (as defined in section 1861(oo)).

3           “(vii) Diabetes outpatient self-man-  
4           agement training services (as defined in  
5           section 1861(qq)).

6           “(2) DEDUCTIBLE.—

7           “(A) IN GENERAL.—Notwithstanding any  
8           other provision of this part, the deductible de-  
9           scribed in section 1833(b) shall not apply with  
10          respect to services described in subparagraph  
11          (B).

12          “(B) SERVICES DESCRIBED.—The services  
13          described in this subparagraph are the following  
14          services:

15               “(i) Hepatitis B vaccine and its ad-  
16               ministration           (under           section  
17               1861(s)(10)(B)).

18               “(ii) Colorectal cancer screening test  
19               (as defined in section 1861(pp)).

20               “(iii) Bone mass measurement (as de-  
21               fined in section 1861(rr)).

22               “(iv) Prostate cancer screening test  
23               (as defined in section 1861(oo)).



1 **TITLE III—MEDICARE HEALTH**  
 2 **EDUCATION AND RISK AP-**  
 3 **PRAISAL PROGRAM**

4 **SEC. 301. MEDICARE HEALTH EDUCATION AND RISK AP-**  
 5 **PRAISAL PROGRAM.**

6 Title XVIII of the Social Security Act (42 U.S.C.  
 7 1395 et seq.) is amended by adding at the end the fol-  
 8 lowing new section:

9 “MEDICARE HEALTH EDUCATION AND RISK APPRAISAL  
 10 PROGRAM

11 “SEC. 1897. (a) ESTABLISHMENT.—The Secretary,  
 12 in consultation with the Director of the Centers for Dis-  
 13 ease Control and Prevention, the Administrator of the  
 14 Agency for Health Care Policy and Research, and the Ad-  
 15 ministrator of the Health Care Financing Administration,  
 16 shall establish a health education and risk appraisal pro-  
 17 gram to inform the target individuals described in sub-  
 18 section (b) of the major behavioral risk factors described  
 19 in subsection (c) through the self-assessment described in  
 20 subsection (d) and shall conduct the periodic followup de-  
 21 scribed in subsection (e).

22 “(b) TARGET INDIVIDUALS.—The target individuals  
 23 described in this subsection are the following:

24 “(1) MEDICARE BENEFICIARIES.—Individuals  
 25 that are beneficiaries under this title.

1           “(2) INDIVIDUALS BETWEEN THE AGES OF 50  
2           AND 64.—Individuals between the ages of 50 and 64.

3           “(c) MAJOR BEHAVIORAL RISK FACTORS.—The  
4           major behavioral risk factors described in this subsection  
5           include—

6           “(1) the lack of proper nutrition;

7           “(2) the use of alcohol;

8           “(3) the lack of regular exercise;

9           “(4) the use of tobacco;

10          “(5) depression; and

11          “(6) other risk factors identified by the Sec-  
12          retary.

13          “(d) SELF-ASSESSMENT.—

14          “(1) IN GENERAL.—The self-assessment de-  
15          scribed in this subsection is a form delivered by the  
16          Secretary to each target individual that—

17                 “(A) includes questions regarding major  
18                 behavioral risk factors;

19                 “(B) requests that such individual answer  
20                 the questions and return the form to the Sec-  
21                 retary; and

22                 “(C) is then assessed using—

23                         “(i) knowledge coupling computer  
24                         software that assesses overall health risks



1 and then provides options for management  
2 of identified risk factors;

3 “(ii) nurse hotlines; and

4 “(iii) case managers as the Secretary  
5 determines appropriate.

6 “(2) INDIVIDUALS BETWEEN THE AGES OF 50  
7 AND 64.—With respect to the target individuals de-  
8 scribed in subsection (b)(2), the Secretary shall co-  
9 ordinate the delivery of the self-assessment form  
10 with the issuance of the statement described in sec-  
11 tion 1143(c)(2).

12 “(e) PERIODIC FOLLOWUP.—

13 “(1) MEDICARE BENEFICIARIES.—Not less fre-  
14 quently than once every 2 years, the Secretary shall  
15 conduct periodic followup appraisals with respect to  
16 the target individuals described in subsection (b)(1)  
17 to reduce major behavioral risk factors described in  
18 subsection (c)—

19 “(A) by providing such individuals with—

20 “(i) information regarding the results  
21 of the self-administered risk appraisal;

22 “(ii) recommendations regarding be-  
23 havior modifications based on such ap-  
24 praisal; and

1                   “(iii) information regarding any need  
2                   for further assessment or treatment; and

3                   “(B) by providing the information de-  
4                   scribed in subparagraph (A) to the provider  
5                   designated by such individual to receive such in-  
6                   formation.

7                   “(2) INDIVIDUALS BETWEEN THE AGES OF 50  
8                   AND 64.—The Secretary shall conduct such periodic  
9                   followup appraisals with respect to the target indi-  
10                  viduals described in subsection (b)(2) as the Sec-  
11                  retary determines appropriate.”.

12 **TITLE IV—DISEASE SELF-MAN-**  
13 **AGEMENT DEMONSTRATION**  
14 **PROJECTS**

15 **SEC. 401. DISEASE SELF-MANAGEMENT DEMONSTRATION**  
16 **PROJECTS.**

17                  (a) DEMONSTRATION PROJECTS.—

18                  (1) IN GENERAL.—The Secretary, acting  
19                  through the Administrator of the Health Care Fi-  
20                  nancing Administration, shall conduct demonstration  
21                  projects for the purpose of promoting disease self-  
22                  management for conditions identified by the working  
23                  group established under paragraph (2) for target in-  
24                  dividuals (as defined in paragraph (3)).

1           (2) DISEASE SELF-MANAGEMENT WORKING  
2 GROUP.—

3           (A) ESTABLISHMENT.—There is estab-  
4 lished within the Department of Health and  
5 Human Services a Disease Self-Management  
6 Working Group.

7           (B) COMPOSITION.—The Disease Self-  
8 Management Working Group established under  
9 subparagraph (A) shall be composed of 4 mem-  
10 bers as follows:

11           (i) The Administrator of the Health  
12 Care Financing Administration.

13           (ii) The Director of the Centers for  
14 Disease Control and Prevention.

15           (iii) The Administrator of the Agency  
16 for Health Care Policy and Research.

17           (iv) The Director of the Administra-  
18 tion on Aging.

19           (C) GENERAL POLICIES AND CRITERIA.—  
20 The Disease Self-Management Working Group  
21 established under paragraph (1) shall establish  
22 general policies and criteria with respect to the  
23 functions of the Secretary under this section  
24 including—

- 1 (i) the identification of conditions for  
2 which a demonstration project may be im-  
3 plemented;
- 4 (ii) the prioritization of the conditions  
5 identified under clause (i) based on poten-  
6 tial of self-management of such condition  
7 to be medically effective and for such self-  
8 management to be a cost-effective benefit  
9 or cost-saving benefit, as those terms are  
10 defined in section 3 of this Act;
- 11 (iii) the identification of target indi-  
12 viduals;
- 13 (iv) the development of procedures for  
14 selecting areas in which a demonstration  
15 project may be implemented; and
- 16 (v) such other matters as are rec-  
17 ommended by the Disease Self-Manage-  
18 ment Working Group and approved by the  
19 Secretary.
- 20 (3) TARGET INDIVIDUAL DEFINED.—In this  
21 section, the term “target individual” means an indi-  
22 vidual that is at risk for or has a condition identified  
23 by the working group described under paragraph (2)  
24 and is eligible for benefits under the fee-for-service  
25 program under parts A and B of title XVIII of the

1 Social Security Act (42 U.S.C. 1395c et seq.; 1395j  
2 et seq.) or is enrolled under the Medicare+Choice  
3 program under part C of title XVIII of such Act (42  
4 U.S.C. 1395w–21 et seq.).

5 (b) NUMBER, PROJECT AREAS, AND DURATION.—

6 (1) NUMBER.—Not later than 2 years after the  
7 date of enactment of this Act, the Secretary shall  
8 implement a series of demonstration projects.

9 (2) PROJECT AREAS.—The Secretary, acting  
10 through the Administrator of the Health Care Fi-  
11 nancing Administration, shall implement the dem-  
12 onstration projects described in paragraph (1) in  
13 urban, suburban, and rural areas.

14 (3) DURATION.—The demonstration projects  
15 under this section shall be conducted for a period of  
16 3 years, beginning on the date on which the Sec-  
17 retary implements the initial demonstration project.

18 (c) REPORTS TO CONGRESS.—

19 (1) ANNUAL REPORTS.—

20 (A) IN GENERAL.—Not later than 1 year  
21 after the Secretary implements the initial dem-  
22 onstration project under this section, and bian-  
23 nually thereafter, the Secretary shall submit to  
24 Congress a report regarding the demonstration  
25 projects conducted under this section.

1 (B) CONTENTS OF REPORT.—The report  
2 in subparagraph (A) shall include the following:

3 (i) A description of the demonstration  
4 projects conducted under this section.

5 (ii) An evaluation of—

6 (I) whether each benefit provided  
7 under the demonstration project is a  
8 cost-effective benefit or a cost-saving  
9 benefit;

10 (II) the level of the disease self-  
11 management attained by target indi-  
12 viduals under the demonstration  
13 projects; and

14 (III) the satisfaction of target in-  
15 dividuals under the demonstration  
16 project.

17 (iii) Any other information regarding  
18 the demonstration projects conducted  
19 under this section that the Secretary deter-  
20 mines to be appropriate.

21 (2) FINAL REPORT.—Not later than 1 year  
22 after the conclusion of the demonstration projects  
23 under this section, the Secretary shall submit a final  
24 report to Congress on the demonstration projects  
25 conducted under this section containing the rec-

1       ommendations of the Secretary regarding whether to  
2       conduct the demonstration projects on a permanent  
3       basis, together with such recommendations for legis-  
4       lation and administrative action as the Secretary  
5       considers appropriate.

6       (d) FUNDING.—The Secretary shall provide for the  
7       transfer from the Federal Hospital Insurance Trust Fund  
8       under section 1817 of the Social Security Act (42 U.S.C.  
9       1395i) an amount not to exceed \$30,000,000 for the costs  
10      of carrying out the demonstration projects under this sec-  
11      tion, establishing the Disease Self-Management Working  
12      Group under subsection (a)(2), and submitting the reports  
13      to Congress under subsection (c).

14      **TITLE V—STUDIES AND RE-**  
15      **PORTS ADVANCING ORIGINAL**  
16      **RESEARCH IN THE FIELD OF**  
17      **DISEASE PREVENTION AND**  
18      **THE ELDERLY**

19      **SEC. 501. MEDPAC BIENNIAL REPORT.**

20      (a) IN GENERAL.—Section 1805(b) of the Social Se-  
21      curity Act (42 U.S.C. 1395b–6(b)) is amended—

22              (1) in paragraph (1)—

23                      (A) in subparagraph (C), by striking  
24                      “and” at the end;

1 (B) in subparagraph (D), by striking the  
2 period and inserting “; and”; and

3 (C) by adding at the end the following new  
4 subparagraph:

5 “(E) by not later than January 1, 2002,  
6 and biannually thereafter, submit the report to  
7 Congress described in paragraph (7).”; and

8 (2) by adding at the end the following new  
9 paragraph:

10 “(7) EVALUATION OF ACTUARIAL EQUIVALENCE  
11 OF MEDICARE AND PRIVATE SECTOR BENEFIT PACK-  
12 AGES.—

13 “(A) EVALUATION.—The Commission  
14 shall—

15 “(i) evaluate the benefit package of-  
16 fered under the medicare program under  
17 this title; and

18 “(ii) determine the degree to which  
19 such benefit package is actuarially equiva-  
20 lent to that offered by health benefit pro-  
21 grams available in the private sector to in-  
22 dividuals over age 65.

23 “(B) REPORT.—The Commission shall  
24 submit a report to Congress that shall  
25 contain—





1           (2) develop better ways to prevent or delay the  
2           onset of age-related functional decline and disease  
3           and disability among the elderly; and

4           (3) develop means of assessing the long-term  
5           development of cost-effective benefits and cost-sav-  
6           ings benefits for health promotion and disease pre-  
7           vention among the elderly.

8           (b) REPORT.—Not later than January 1, 2006, the  
9           Director of the National Institute on Aging shall submit  
10          a report to the Secretary regarding each study conducted  
11          under subsection (a) and containing a detailed statement  
12          of research findings and conclusions that are scientifically  
13          valid and are demonstrated to prevent or delay the onset  
14          of chronic illness or disability among the elderly.

15          (c) TRANSMISSION TO INSTITUTE OF MEDICINE.—  
16          Upon receipt of each report described in subsection (b),  
17          the Secretary shall transmit such report to the Institute  
18          of Medicine of the National Academy of Sciences for con-  
19          sideration in its effort to conduct the comprehensive study  
20          of current literature and best practices in the field of  
21          health promotion and disease prevention among the medi-  
22          care beneficiaries described in section 503.

23          (d) AUTHORIZATION OF APPROPRIATIONS.—

24                 (1) IN GENERAL.—There are authorized to be  
25                 appropriated \$100,000,000 for fiscal years 2001

1 through 2006 to carry out the purposes of this sec-  
2 tion.

3 (2) AVAILABILITY.—Any sums appropriated  
4 under the authorization contained in this subsection  
5 shall remain available, without fiscal year limitation,  
6 until September 30, 2005.

7 **SEC. 503. INSTITUTE OF MEDICINE 5-YEAR MEDICARE PRE-**  
8 **VENTION BENEFIT STUDY AND REPORT.**

9 (a) STUDY.—

10 (1) IN GENERAL.—The Secretary shall contract  
11 with the Institute of Medicine of the National Acad-  
12 emy of Sciences to conduct a comprehensive study of  
13 current literature and best practices in the field of  
14 health promotion and disease prevention among  
15 medicare beneficiaries including the issues described  
16 in paragraph (2) and to submit the report described  
17 in subsection (b).

18 (2) ISSUES STUDIED.—The study required  
19 under paragraph (1) shall include an assessment  
20 of—

21 (A) whether each covered benefit is—

22 (i) medically effective; and

23 (ii) a cost-effective benefit or a cost-  
24 saving benefit;

1 (B) utilization of covered benefits (includ-  
2 ing any barriers to or incentives to increase uti-  
3 lization); and

4 (C) quality of life issues associated with  
5 both health promotion and disease prevention  
6 benefits covered under the medicare program  
7 and those that are not covered under such pro-  
8 gram that would affect all medicare bene-  
9 ficiaries.

10 (b) REPORT.—

11 (1) IN GENERAL.—Not later than 5 years after  
12 the date of enactment of this section, and every fifth  
13 year thereafter, the Institute of Medicine of the Na-  
14 tional Academy of Sciences shall submit to the  
15 President a report that contains a detailed state-  
16 ment of the findings and conclusions of the study  
17 conducted under subsection (a) and the rec-  
18 ommendations for legislation described in paragraph  
19 (2).

20 (2) RECOMMENDATIONS FOR LEGISLATION.—

21 The Institute of Medicine of the National Academy  
22 of Sciences, in consultation with the Partnership for  
23 Prevention, shall develop recommendations in legis-  
24 lative form that—

1 (A) prioritize the preventive benefits under  
2 the medicare program; and

3 (B) modify preventive benefits offered  
4 under the medicare program based on the study  
5 conducted under subsection (a).

6 (c) TRANSMISSION TO CONGRESS.—

7 (1) IN GENERAL.—On the day on which the re-  
8 port described in subsection (b) is submitted to the  
9 President, the President shall transmit the report  
10 and recommendations in legislative form described in  
11 subsection (b)(2) to Congress.

12 (2) DELIVERY.—Copies of the report and rec-  
13 ommendations in legislative form required to be  
14 transmitted to Congress under paragraph (1) shall  
15 be delivered—

16 (A) to both Houses of Congress on the  
17 same day;

18 (B) to the Clerk of the House of Rep-  
19 resentatives if the House is not in session; and

20 (C) to the Secretary of the Senate if the  
21 Senate is not in session.

22 **SEC. 504. FAST-TRACK CONSIDERATION OF PREVENTION**  
23 **BENEFIT LEGISLATION.**

24 (a) RULES OF HOUSE OF REPRESENTATIVES AND  
25 SENATE.—This section is enacted by Congress—

1           (1) as an exercise of the rulemaking power of  
2 the House of Representatives and the Senate, re-  
3 spectively, and is deemed a part of the rules of each  
4 House of Congress, but—

5           (A) is applicable only with respect to the  
6 procedure to be followed in that House of Con-  
7 gress in the case of an implementing bill (as de-  
8 fined in subsection (d)); and

9           (B) supersedes other rules only to the ex-  
10 tent that such rules are inconsistent with this  
11 section; and

12           (2) with full recognition of the constitutional  
13 right of either House of Congress to change the  
14 rules (so far as relating to the procedure of that  
15 House of Congress) at any time, in the same man-  
16 ner and to the same extent as in the case of any  
17 other rule of that House of Congress.

18 (b) INTRODUCTION AND REFERRAL.—

19           (1) INTRODUCTION.—

20           (A) IN GENERAL.—Subject to paragraph  
21 (2), on the day on which the President trans-  
22 mits the report pursuant to section 503(c) to  
23 the House of Representatives and the Senate,  
24 the recommendations in legislative form trans-  
25 mitted by the President with respect to such re-

1 port shall be introduced as a bill (by request)  
2 in the following manner:

3 (i) HOUSE OF REPRESENTATIVES.—In  
4 the House of Representatives, by the Ma-  
5 jority Leader, for himself and the Minority  
6 Leader, or by Members of the House of  
7 Representatives designated by the Majority  
8 Leader and Minority Leader.

9 (ii) SENATE.—In the Senate, by the  
10 Majority Leader, for himself and the Mi-  
11 nority Leader, or by Members of the Sen-  
12 ate designated by the Majority Leader and  
13 Minority Leader.

14 (B) SPECIAL RULE.—If either House of  
15 Congress is not in session on the day on which  
16 such recommendations in legislative form are  
17 transmitted, the recommendations in legislative  
18 form shall be introduced as a bill in that House  
19 of Congress, as provided in subparagraph (A),  
20 on the first day thereafter on which that House  
21 of Congress is in session.

22 (2) REFERRAL.—Such bills shall be referred by  
23 the presiding officers of the respective Houses to the  
24 appropriate committee, or, in the case of a bill con-  
25 taining provisions within the jurisdiction of 2 or

1 more committees, jointly to such committees for con-  
2 sideration of those provisions within their respective  
3 jurisdictions.

4 (c) CONSIDERATION.—After the recommendations in  
5 legislative form have been introduced as a bill and referred  
6 under subsection (b), such implementing bill shall be con-  
7 sidered in the same manner as an implementing bill is con-  
8 sidered under subsections (d), (e), (f), and (g) of section  
9 151 of the Trade Act of 1974 (19 U.S.C. 2191).

10 (d) IMPLEMENTING BILL DEFINED.—In this section,  
11 the term “implementing bill” means only the recommenda-  
12 tions in legislative form of the Institute of Medicine of the  
13 National Academy of Sciences described in section  
14 503(b)(2), transmitted by the President to the House of  
15 Representatives and the Senate under subsection 503(e),  
16 and introduced and referred as provided in subsection (b)  
17 as a bill of either House of Congress.

18 (e) COUNTING OF DAYS.—For purposes of this sec-  
19 tion, any period of days referred to in section 151 of the  
20 Trade Act of 1974 shall be computed by excluding—

21 (1) the days on which either House of Congress  
22 is not in session because of an adjournment of more  
23 than 3 days to a day certain or an adjournment of  
24 Congress sine die; and



1           (2) any Saturday and Sunday, not excluded  
2           under paragraph (1), when either House is not in  
3           session.

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